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ABSTRACT

Basic information about Social Security and Supplementary Security Income benefits for children with disabilities is presented in a question-and-answer format. The following questions are addressed: "How can a child get benefits from Social Security or Supplemental Security Income (SSI)?"; "How is eligibility determined?"; "What is the definition of disabled for SSI?"; "What about children with severe disabilities?"; "What about children with HIV (Human Immunodeficiency Virus) infection?"; "How can people apply for Social Security of SSI benefits...and how can the process be expedited?"; "What if my application for benefits is denied?"; and "What about Medicaid and Medicare?" Also briefly described are two other health care services: the Children with Special Health Care Needs program and the Early and Periodic Screening, Diagnosis and Treatment program. (DB)

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Q&A

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SOCIAL SECURITY AND SUPPLEMENTAL SECURITY INCOME BENEFITS FOR CHILDREN WITH DISABILITIES

How can a child get benefits from Social Security or Supplemental Security Income (SSI)?

There are two ways a child might be eligible for benefits from Social Security or SSI.

1) **SSI Benefits For Children**—These are benefits payable to children with disabilities under age 18 who have limited income and resources, or who come from homes with limited income and resources. About 450,000 children with disabilities currently receive SSI payments.

2) **Social Security Dependents' Benefits**—These are benefits payable to children under the age of 18 on the record of a parent who is collecting retirement or disability benefits from Social Security, or survivors' benefits payable to children under age 18 on the record of a parent who has died.

Although children eligible for these benefits may have a disability, the Social Security Administration (SSA) does not need to consider their disability to qualify them for benefits. In other words, a child under age 18 is eligible for Social Security merely because he or she is the dependent child of someone getting retirement or disability benefits, or of a parent who has died. A child can continue receiving dependents' or survivors' benefits until age 19 if he or she is a full-time student in elementary or high school.

Some 2.6 million children receive dependents' or survivors' benefits from Social Security.

How is eligibility determined?

Most children do not have their own income and do not have many assets. However, when children under age 18 live at home (or are away at school but return home occasionally and are subject to parental control), SSA considers the parent's income and assets when they decide if the child qualifies. This process is referred to as "deeming" of income and assets.

While the local Social Security office decides if a child's income and assets are within the SSI limits, all documents and evidence pertaining to the disability are sent to a state office, usually called the Disability Determination Service (DDS). There, each child's case is reviewed to decide if he or she meets SSA's definition of disability.

If the existing records available are not thorough enough for the DDS team to make a decision, the parents may be asked to take the child to a special examination for which Social Security will pay.

What is the definition of disabled for SSI?

The law states that a child will be considered disabled if he or she is not working and has an impairment that is as severe as one that would disable an adult. This means the condition must limit the child's ability to function like other children of the same age so much that the impairment is comparable to one which would make an adult disabled.

To make this decision, the disability evaluation specialist first checks to see if the child's disability can be found in a specific listing of impairments that is contained in Social Security's regulations, or if the condition is equal to an impairment that is on the list. These listings are descriptions of symptoms, signs or laboratory findings of physical and mental problems such as cerebral palsy, mental retardation, or muscular dystrophy that are severe enough to disable a child. If the symptoms, signs or laboratory findings of the child's condition are the same as, or equal to the listing, he or she is considered disabled for SSI purposes.

If a disability cannot be established using the "listing" criteria, then the disability evaluation team will assess the child's ability to function in everyday life. Children are considered "disabled" for SSI purposes if their impairment substantially reduces their ability to do things and behave in ways normal to children of a similar age.

What about children with severe disabilities?

The disability evaluation process generally takes several months. However, the law includes special provisions for children signing up for SSI disability whose condition is so severe that they are presumed to be disabled. In these cases, SSI benefits are paid for up to 6 months while the formal disability decision is being made. (Of course, these payments can only be made if the child meets the other eligibility factors explained above.)

If SSA makes these special payments, and if they later decide that the child's disability is not severe enough to qualify for SSI, the benefits do not have to be paid back.

What about children with HIV infection?

Young children with HIV infection differ from adults, or even from older children (age 13 or older), in

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the way the infection is usually acquired and in the course of the disease. DDS disability examiners and doctors have been provided with extensive guidelines to use when evaluating claims for children involving HIV infection.

Some children may not have the conditions specified in the current guidelines for evaluating HIV infection, but may have other signs and symptoms that indicate an impairment that affects their ability to engage in activities expected of children of the same age. As indicated earlier, this kind of evidence may help show that a child is disabled for SSI purposes.

How can people apply for Social Security or SSI benefits...and how can the process be expedited?

Parents can apply for Social Security or SSI benefits for their child by calling or visiting their local Social Security office. The claims process can be expedited if the parent has the child's Social Security number and birth certificate available when applying. The parent will need to provide records that show the family's income and assets.

The medical evaluation specialists at the DDS need thorough and detailed medical records to help them decide if a child is disabled. When filing, parents will be asked to provide names, addresses and telephone numbers of all doctors, hospitals, clinics and other specialists the child has visited.

In addition, if the child is under age 18 and applying for SSI, the parents will be asked to describe how the child's disability affects his or her ability to function relative to a child of similar age. Therefore, parents will be asked to provide the names of teachers, day care providers, and family members who can give information about how the child functions in his or her day-to-day activities.

It is important to be as specific and thorough as possible when answering these questions. This means that parents should give the dates of visits to doctors or hospitals, the account numbers, and other information that will help SSA get the child's medical records as soon as possible. If this information is not available, parents should tell the interviewer as much as they know. If there are any school records, they should be brought to the interview.

In many communities, special arrangements have been made with medical providers, social service agencies and schools to help get the evidence needed to process a child's claim. SSA reports that most DDSs have Professional Relations Officers who work directly with these organizations to facilitate this process. However, additional cooperation from the family in obtaining records and evidence is helpful.

What if my application for benefits is denied?

It is important to know all of your rights under the appeal process and to take action immediately if your application is turned down. The Arc has a *Q&A* on this topic. Contact The Arc and request the *Q&A* on Social Security benefits appeals.

What about Medicaid and Medicare?

Medicaid is a health entitlement program for people with low incomes and limited assets. In most states, children who get SSI benefits qualify for Medicaid coverage. In many states, this coverage comes automatically with SSI eligibility. In other states, a family must sign up for it. Some children can get Medicaid coverage even if they don't qualify for SSI.

Medicare is a federal health insurance program for people 65 or older, and for people who have been getting Social Security disability benefits for two years. The only exception to this rule is for children with chronic renal disease who need a kidney transplant or maintenance dialysis. Children in such a situation can get Medicare if a parent is getting Social Security or has worked enough to be covered by Social Security.

Other Health Care Services

- Children with Special Health Care Needs (CSHCN) If a child has a disability and is eligible for SSI, these are health care services generally available through state health agencies. Although there are differences, most CSHCN programs help provide specialized services through arrangements with clinics, private offices, hospital-based out- and in-patient treatment centers or community agencies.

- Early and Periodic Screening, Diagnosis and Treatment (EPSDT) The EPSDT program, as part of Medicaid, provides coverage for a wide range of preventive, primary and specialized health services for children enrolled in Medicaid. State Medicaid programs are required to pay for periodic, comprehensive medical exams (beginning at birth through age 21 and meeting professionally accepted standards for frequency), immunizations, treatment for conditions disclosed through the exam process, and vision, dental and hearing care. States are also required to provide information to families about EPSDT and transportation and scheduling assistance to families who need it (Orloff, Rivera & Rosenbaum, 1992).

Local health departments, social services offices or hospitals should be able to put families in touch with their CSHCN and EPSDT programs.

Social Security produces a variety of free publications that explain the various Social Security programs, including benefits available to children. Some publications are available in Spanish. To get copies of these publications, call or visit the local Social Security office or call Social Security at 1-800-772-1213.

Reference

Orloff, T.M., Rivera, L.A., & Rosenbaum, S. (1992). *Medicaid reforms for children: An EPSDT Chartbook.* The George Washington University Center for Health Policy Research.

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